

*REMARKS*

The objection to the drawings is respectively traversed. Claim 7 (and claim 24) defines a filter cartridge which "includes a cross support rod." This language is not limited to "only one" or "only a single" cross-support rod as suggested in the Office Action. Instead, the phrase "includes a cross support rod" as it appears in the claims is an open phrase having an accepted meaning of at least one cross support rod. Consequently, the phrase reads on embodiments which have "only one" cross-support rod and embodiments which have more than one, e.g., two, cross-support rods. While the phrase "a cross support rod" is not limited to the number of rods or the rod configuration shown in the figures, examples of "a cross support rod" are adequately shown in the figures. For example, Figure 3 shows "a cross support rod", i.e., either one of cross support rods 131, and Figure 6 also shows "a cross support rod", i.e., either one of cross support rods 326-1. Thus, it is respectfully contended that the drawings already show every feature of the invention specified in the claims.

In response to the objection to claim 3, claim 3 has been amended in accordance with the Examiner's suggestion.

The "same invention" type, provisional double patenting rejection under 35 USC § 101 between certain claims of the present application and certain claims of United States Application No. 10/105,635 is respectfully traversed because these applications are not claiming the same invention. There is a clear line of demarcation between the claims of these applications. For example, all of the claims of the '635 application define a filter cartridge comprising a lip seal. One of the claims of the present application defines a filter cartridge comprising an O-ring seal, which is not a lip seal; other claims of the present application define a filter cartridge comprising a seal ring, which may or may not be a lip seal; and the remainder of the claims of the present application define a filter cartridge without reference to any kind of seal. Consequently it is possible to infringe all of the claims of the present application, e.g., through the use of an O-ring seal and not a lip seal, without infringing any of the claims of the '635 application. Consequently, it is respectfully contended that the provisional double patenting rejection under 35 USC § 101 is improper (see MPEP 804, II, A) and that a clear line of demarcation is being maintained between the claims of these applications.

The rejection of claim 7 under 35 USC § 112, first paragraph, written description requirement, is respectfully traversed. As originally filed, the specification disclosed and the drawings showed cross supports 131, 326-1 (see, e.g., page 7, line 10 and Figure 3 and page

9, line 10 and Figure 6). However, as originally filed, the application also included claim 7 and claim 24, each of which defined a filter cartridge which "includes a cross support rod."

Both claims 7 and 24 were in the application as originally filed. Originally presented claims constitute part of the disclosure. As explained above, the accepted meaning of the open phrase "The filter cartridge....includes a cross support rod" in claims 7 and 24 is a filter cartridge which includes at least one cross support rod. Further, one of ordinary skill in the art would recognize that a cross support rod may, for example, serve as a structural member to rigidify the end cap and/or a handle to lift the filter cartridge. One, two, or more cross support rods would be used to serve these functions. Because the originally filed claims constitute part of the disclosure, the application as originally filed disclosed a filter cartridge which comprises only one cross support rod or more than one cross support rod. Consequently, the rejection of claim 7 under the first paragraph of 35 USC § 112 should be withdrawn.

In addition, it is respectfully contended that the interpretations of "a cross support rod" set forth in the Office Action are too limited. First, as explained above the open phrase "includes a cross support rod" is not limited to only one cross support rod but also reads on more than one cross support rod. Second, nothing in the specification or claims limits the phrase "cross support rod" to an I-shaped structure which crosses the center of the filter cartridge from one point to the opposite point. Rather, a cross support is a structure of any shaped cross section, including a cross-shaped cross section, which crosses from one point to another point on or off center.

The rejection of the claims under 35 USC § 103 has been overcome. The application now has three independent claims, i.e., claim 1, claim 4 and claim 22. Claim 4 and claim 22, and the claims which depend from claims 4 and 22, define a filter cartridge comprising a series of buttresses and are patentable over the cited art.

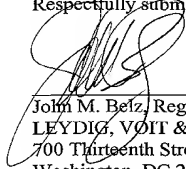
Claim 1 and the claims which depend from claim 1 define a filter cartridge comprising a seal ring and a length-adjustable end cap which includes a movable connection member. The seal ring is fixed in the interior space of a filter body. The movable connection member moves longitudinally within the interior space of the filter body in sealing contact with the seal ring. None of the art cited against the claims, i.e., not Connors et al. nor Farrow et al. nor the combination of these patents, discloses or suggests the invention defined by claim 1 or the claims which depend from claim 1.

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the

In re Appln. of SCHUYLER, et al.  
Application No. 09/988,222

Examiner, a telephone conference would expedite the prosecution of the subject application,  
the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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